IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39259 of 2008
RAJESH KUMAR SINGH, SON OF YOGENDRA SINGH, RESIDENT OF VILLAGE-MANOPUR, POLICE STATION-BHAGWANPUR, DISTRICT-BEGUSARAI. ….PETITIONER
Versus
THE STATE OF BIHAR……OPPOSITE PARTY
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2. 05.12.08. Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 178© of 2007 for offence under Sections 406 and 420 of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioner submits that the petitioner purchased a vehicle from the complainant and for that he paid Rs. 2,25,000/- to the complainant and the remaining amount of Rs.3,10,000/- was required to be paid later.

It is alleged that petitioner has issued the cheque for the said amount. However, the same could not be encashed since the Bank returned the cheque for want of sufficient fund.

Learned counsel for the petitioner submits that as a matter of fact, the Bank did not return the cheque in question for want of fund but the same has been returned as the petitioner has given instruction 'Stopped payment' as the two cheques have been missing from the office of the petitioner where the alleged transaction took place for that the petitioner has filed a complaint vide Annexure-3.

Considering the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner namely, Rajesh Kumar Singh, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten

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thousand) with two sureties of the like amount each to the satisfaction of Shri Akhilesh Kumar Singh, Judicial Magistrate Ist Class, Patna, in connection with Complaint Case No. 178© of 2007, subject to the conditions as laid down under Sub Section 2 of Section 438 of Code of Criminal Procedure.

m.p. **(Shailesh Kumar Sinha, J.)**

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